

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MARTIN RHODES)
Plaintiff,)
v.) No. 3:09-00181
JUDGE HAYNES
JEFFREY PITTARD,)
ECLIPSE MARKETING INC. and)
ORKIN, INC.)

Defendants.)
)

Consolidated with:

MARTIN RHODES)
Plaintiff,)
v.) No. 3:09-00780
JUDGE HAYNES
CITY OF MURFREESBORO d/b/a)
MURFREESBORO POLICE)
DEPARTMENT and TAD SCOTT)

Defendants.)
)

ORDER

In accordance with the Memorandum filed herewith, Defendants City of Murfreesboro's and Thad Scott's motion for summary judgment (Docket Entry No. 24) is **GRANTED in part**. Plaintiff's §1983 claims are **DISMISSED WITH PREJUDICE**. Plaintiff's state law claims

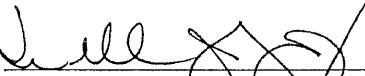
against Defendants Scott and City of Murfreesboro are **DISMISSED WITHOUT PREJUDICE.**

Defendant Orkin, Inc.'s motion for summary judgment (Docket Entry No. 34) is **DENIED WITHOUT PERJUDICE** given the Court's lack of jurisdiction. Any remaining claims in the action against Defendants Jeffrey Pittard, Eclipse Marketing Inc. and Orkin, Inc. are **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

This is the Final Order in the action.

It is so **ORDERED.**

Entered this the 5th day of April, 2011.



WILLIAM J. HAYNES, Jr.
United States District Judge